

April 9 2010

Ed Smith  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

## Form 1

IN THE SUPREME COURT OF THE STATE OF MONTANA  
Supreme Court Cause No. SA 10-0160  
(To be assigned by the Clerk of the Supreme Court)

Attorney for John L. Hartsoe  
Address 37095 St Mary  
Phone 406-745-3085  
Fax \_\_\_\_\_  
E-mail \_\_\_\_\_  
John L. Hartsoe,  
Appellant,

FILED

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STATE OF MONTANA

## NOTICE OF APPEAL

v.  
State of Montana,  
Appellee.

NOTICE is given that John L. Hartsoe, the Appellant above-named and who is the DEFENDANT (plaintiff/petitioner/or other designation) in that cause of action filed in the TWENTYTH Judicial District, in and for the County of Lake, as Cause No. DC08-10 hereby appeals to the Supreme Court of the State of Montana from the final judgment or order entered in such action on the 25 day of February, 2009.

## THE APPELLANT FURTHER CERTIFIES:

1. That this appeal \_\_\_\_\_ is/is not ☒ subject to the mediation process required by M. R. App. P. 7. If subject to mediation, the money judgment being sought \_\_\_\_\_ is/is not \_\_\_\_\_ less than \$5,000.
2. That this appeal \_\_\_\_\_ is/is not ☒ an appeal from an order certified as final under M. R. Civ. P. 54(b). If this is such an appeal, a true copy of the District Court's certification order is attached hereto as Exhibit "A."
3. That the notice required by M. R. App. P. 27 has been or will be given, within 11 days of the date hereof, to the Supreme Court and to the Montana Attorney General with respect to a challenge to the constitutionality of any act of the Montana Legislature.
4. That all available transcripts of the proceedings in this cause \_\_\_\_\_ have been/have not been ☒ ordered from the court reporter contemporaneously with the filing of this notice of appeal. If all available transcripts have not been ordered, that Appellant has complied with the provisions of M. R. App. P. 8(3) contemporaneously with the filing of this notice of appeal.
5. That included herewith is the filing fee prescribed by statute, or the affidavit to proceed without payment of the required filing fee prescribed in the Appendix of Forms as Form 3.

Dated this 6<sup>th</sup> day of April, 2010.

John L. Hartsoe prose not done  
Attorney for \_\_\_\_\_

## CERTIFICATE OF SERVICE

I hereby certify that I have filed a true and accurate copy of the foregoing NOTICE OF APPEAL with the Clerk of the Montana Supreme Court; and that I have served true and accurate

copies of the foregoing NOTICE OF APPEAL upon the Clerk of the District Court, each attorney of record, and each party not represented by an attorney in the above-referenced District Court action, as follows:

(list name and address of the Clerk of the District Court and each attorney or party served).

Dated this 6 day of April, 2010.

John R. Smith

Name

37095 St. Marys Lk. Rd. / St. Ignatius MT 59865

Address

Title

Ed Smith

CLERK OF THE MONTANA SUPREME COURT

P.O. BOX 203003

HELENA, MT 59620-3003

LYN FRICKER

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POLSON, MT. 59860

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BULLOCK

MONTANA ATTORNEY GENERAL

P.O. BOX 20141

HELENA, MT 59620

~~ORIGINAL~~

Dr. [unclear] [unclear]  
[unclear] [unclear] [unclear]

[unclear] [unclear]  
[unclear] [unclear]

RECEIVED

Appellate Defender

of [unclear]  
[unclear] [unclear]

Come down [unclear] [unclear] [unclear]  
[unclear] [unclear] [unclear] [unclear]  
[unclear] to assist [unclear] [unclear] [unclear]  
[unclear].

FILED

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